

REMARKS

Claims 1, 2, 8 and 9 are rejected under 35 U.S.C. § 102(b) as being anticipated by Rzeszewski '481.

Claims 3-7, 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Rzeszewski '481 in view of Applicant's admitted prior art (APA) as illustrated in Figs. 1-3 of the present application, and as described in the specification under "Background of the Invention".

The rejection based on anticipation under 35 U.S.C. § 102(b) means that, in the Examiner's opinion, Rzeszewski '481 discloses, either expressly or inherently, each limitation of each of claims 1, 2, 8 and 9, or in other words, that each of claims 1, 2, 8 and 9 is readable on the disclosure of Rzeszewski '481.

The rejection under 35 U.S.C. § 103(a) means that, in the Examiner's opinion, the subject matter of each of claims 3-7, 10 and 11 would have been obvious, to a person of ordinary skill in the relevant technology, from Rzeszewski's disclosure when combined with the APA.

Applicant respectfully **traverses** both of these rejections.

The rejections of independent claims 1 and 8 under 35 U.S.C. § 102(b) have been rendered **moot** by the cancellation of these claims.

Applicant respectfully submits that the remaining claims 2-7 and 9-11 are neither anticipated by, nor rendered obvious by Rzeszewski '481, either alone or in combination with APA, because these claims clearly are **not readable on Rzeszewski '481** and also contain limitations which are not described, or even suggested, in the Rzeszewski/APA combination.

Applicant's invention has the feature that the OSD screen (as shown in Fig. 5B) is displayed according to the Auto Tuning Management (ATM) table stored in the channel information storage, whereby the user is able to select or un-select the broadcast channel displayed using a "checkbox menu" as recited in independent claims 2 and 9.

In contrast, Rzeszewski displays channel numbers, arrow keys ► and ◀ to add channels to, or delete channels from, the selected channel list, and also a box indicating the selected channel list, does **not** disclose any feature corresponding to the "feature" described above.

Therefore, since the independent parent claims 2 and 9 clearly are **not readable** on Rzeszewski's disclosure, Applicant respectfully submits that Rzeszewski is **incapable of anticipating** independent claims 2 and 9. Furthermore, since the Rzeszewski/APA combination does not teach, or even suggest, all of the limitations of independent claims 2 and 9, Applicant respectfully submits that the Rzeszewski/APA combination is **incapable of rendering obvious** the **subject matter of independent claims 2 and 9** or their dependent claims 2-7 and 10-11 which, Applicant respectfully submits, are allowable for the same reason that their respective parent claims 2 and 9 are allowable, and for the further reason of the limitations added by these dependent claims.

In summary, then, and for the reasons presented above, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 102(b) and 103(a), and to find the application to be in condition for allowance with claims 2-7 and 9-11; however, if for any reason the Examiner feels that the application is not now in condition for allowance,

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/674,510

Applicant respectfully requests the Examiner to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

/John H. Mion/

John H. Mion
Registration No. 18,879

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
(202) 663-7901

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 12, 2006